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THE AMERICAN JOURNAL OF SOCIOLOGY

VOLUME XXVII

NOVEMBER 1921

NUMBER 3

SOME TYPICAL CONTRIBUTIONS OF ENGLISH SOCIOLOGY TO POLITICAL THEORY

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ABSTRACT

Introduction.—This and following articles assume previous accounts of interpretations of the state by Sumner and Ward (*American Journal of Sociology*, XXV, 1 and 150). Seventeenth- and early eighteenth-century views of the state in England were essentially sociological. In spite of domination of naturalistic and legalistic views of the state, definite eighteenth-century anticipations of a sociological view (Bolingbroke, Hume, Ferguson, Burke). Ricardo, the Benthamites, and John Stuart Mill used certain sociological preconceptions. Then the Darwinian biology stimulated the “social organism” idea which in Herbert Spencer remained in the form of laissez faire doctrines, but in such thinkers as Hobhouse developed into positive conceptions. Part I. *Herbert Spencer*. 1. Life and Works. 2. His Philosophy of Society. 3. Specific Political Theories: i.e., (1) the relation of sociology to political science and the study of the state; (2) fundamental political concepts and definitions; (3) foundations and justification of political authority; (4) historical evolution of political institutions; (5) forms of the state and of government; (6) sovereignty, liberty, and the sociological theory of political rights; (7) proper scope of state activity; (8) progress, social reform, and state activity; (9) extra-legal aspects of political organization; (10) summary of Spencer’s political theories.

INTRODUCTION: THE HISTORICAL BACKGROUND OF THE SOCIOLOGICAL THEORY OF THE STATE IN ENGLAND

In an earlier article the writer attempted briefly to sketch the nature of the sociological conception of the state, preliminary to an exposition of the specific sociological interpretations of the state set forth by William Graham Sumner and Lester F. Ward.¹

¹ *American Journal of Sociology*, XXV (July, 1919), 1-3.

It will not be necessary to repeat this characterization of the sociologist's way of looking at political institutions and processes, but merely to indicate the historical background of those developments in the sociological interpretation of politics which the following articles will attempt to describe.

The views of the state which prevailed in the seventeenth and early eighteenth century in England, be they regarded as the contract theory or as the contemporary mercantilist conception, were distinctly sociological in their character. The contract theory rested upon the assumption of those social forces whose operation could only be controlled by the erection of political authority, and the mercantilist theory depended upon a theory of economic forces and classes in society and upon a notion of the economic function of the state which were quite sociological in their implications.¹ Certain special or individual interpretations of the state, such as that of Harrington, were even more sociological than the prevailing notions. But with the general intellectual appropriation of the philosophical import of the Newtonian discoveries in the realm of celestial mechanics a notable change took place in the theory of the state. Social philosophers, particularly the English Deists and the French Philosophes, came to believe that society functioned most naturally, not when directed by a human social agent like the state, but when it conformed to that natural order—that régime of natural law—which Newton had proved to govern the physical universe.² The state, then, could be viewed in no other way than as a necessary evil whose function it was primarily, if not solely, to protect life and property. This attitude toward the state was appropriated for economics and politics by the French physiocrats and the English classical economists. It was distinctly naturalistic and metaphysical rather than sociological in character. The utilitarian or Benthamite theory of the state was but a variant of that introduced by the classical economists. In its most thorough systematization by Austin it was wholly

¹ For a thorough analysis of the sociological nature of the same conception in Germany see A. W. Small, *The Cameralists*.

² Perhaps the first systematic attempt in this direction was Berkeley's *Principles of Moral Attraction*.

legalistic in its nature, as shown, for example, by his view of the place of custom in political life and legal action.¹

In spite of the domination of the naturalistic and legalistic views of the state, there were, even in the eighteenth century, certain very definite anticipations of a sociological view of the state, particularly those set forth in the writings of Bolingbroke, Hume, Ferguson, and Burke. Even the adherents to the naturalistic conception often unconsciously offered doctrines which assumed a distinctly sociological notion of political and economic life. Such was Ricardo's view of the struggle of the different economic classes within society for economic gain and political power—a notion which was elaborated by the Ricardian socialists in theory and proved by English political practice during the first half of the nineteenth century. The Benthamite theory of the state was also shown to be capable of extensive sociological application by John Stuart Mill. The real beginning of the sociological theory of the state in England, however, must be associated with the introduction of the Darwinian biology and the development of the doctrine of an analogy between organic and social evolution. Here was a conception which looked upon the state as an indispensable regulating organ belonging to the social organism. While it was at first, especially in the hands of Spencer, dominated by the laissez faire preconceptions of contemporary economic and political theory, it has developed from a negative into a positive sociological conception in the writings of such recent sociologists as Hobhouse. These more recent writers, in common with the Fabian socialists, have come to recognize the futility of the older conception of the inevitable and spontaneous nature of social evolution. They have become convinced that the great economic transformation wrought by the Industrial Revolution and modern applied science has produced the necessity for a revised conception of the state, which recognizes this great social institution as the only agency competent to cope with the complexity and volume of modern social problems. Finally, the developments in modern individual and social psychology have shown that neither the eighteenth-century shibboleth of "the

¹ Cf. *American Journal of Sociology*, September, 1917, pp. 214-16, 229-38.

dictates of right reason" nor the Benthamite felicific calculus of the nineteenth are adequate guides for the understanding of human conduct in political processes, and have indicated the necessity for a reconstruction of the psychological interpretation of political life. This need has been met by writers like Bagehot, Trotter, and Wallas.¹ It will be the purpose of the following articles to sketch certain typical phases of this important development of a more profound and comprehensive conception of politics.

PART I. HERBERT SPENCER AND THE SOCIOLOGICAL DEFENSE OF LAISSEZ FAIRE

I. GENERAL NATURE OF HIS PHILOSOPHICAL AND SOCIOLOGICAL SYSTEM

1. *Life and works*.—Comte's work in the field of sociology was taken up and greatly amplified by the philosopher who, better than anyone else, summed up the main currents of nineteenth-century thought—Herbert Spencer (1820–1903). This does not mean that Spencer regarded Comte as his scientific precursor. In fact, quite the opposite was the case, for Spencer published his first sociological treatise, *Social Statics*, before he had any detailed knowledge of Comte's ideas, and it seems that in many respects the similarity between the two writers was quite accidental. On the other hand it is hard to agree entirely with Spencer in his attempt to prove his complete independence of Comte and his fundamental divergence from the views of the latter.² Rather it seems that one may accept the verdict of Michel that, "Il ne suit pas que les Principes de Sociologie puissent être sincèrement regardés comme un livre original, par quiconque a lu les Opuscules [i.e., early essays] de Comte. Toutes les idées, directrices, et jusqu'à la méthode de Spencer se trouvent dans les Opuscules. Comte a tracé les cadres: Spencer n'a fait que les remplir."³

¹ Even the psychological school has been dominated by the evolutionary terminology. From Bagehot to Trotter biological framework is introduced upon which to build a psychological superstructure. English social psychology has been distinctly genetic in character.

² See Spencer's *Essays, Scientific, Political, and Speculative* (New York, 1891), II, 118–49; essay entitled "Some Reasons for Dissenting from the Philosophy of M. Comte."

³ Michel, *L'Idée de l'Etat*, p. 462.

A child of feeble health, Spencer was taught at home and never received any public education. In this aspect of home training he resembled his famous contemporary, John Stuart Mill. His failure to accept a university career doubtless tended to contribute strongly to the failure of the academic circles in England to take a lively interest in his teachings, and his lack of a properly socialized existence in early life certainly had not a little to do with his individualistic tendencies as an adult. Aside from these more strictly personal elements, Spencer's non-conformist inheritance from his family, and his reaction against the radical revolutionary doctrines of his youth are matters which must be taken into consideration when attempting to get an insight into the sources of his philosophic tendencies and an understanding of his intellectual predispositions.¹

Spencer early acquired a taste for mechanics and in 1837 he became chief engineer of the London and Birmingham railroad. He resigned from this position in 1848 to become sub-editor of the *Economist*, and during the four years that he served in this capacity he produced (1850) his first important contribution to sociology, *Social Statics*.² During the next eight years he developed the basic principles of his system of synthetic philosophy and published them in the *First Principles* in 1862. No one can understand Spencer's philosophy if he has not read this work, any more than one can appreciate Comte's fundamental ideas if he has not read the early essays of the latter. In this volume he disposed of metaphysical theology by relegating its field of study to the realm of the ultimately unknowable; outlined his theory of universal evolution; and indicated the main lines of its application to the totality of human knowledge. He did not, as has frequently been asserted, attempt to apply the theories of Darwin to a restatement of science and philosophy, but rather applied to this field his own theory of evolution which had been formulated prior to and independent of that of Darwin, and which is built upon a thor-

¹ For a brief statement of the sources of Spencer's doctrines see E. Barker, *Political Thought in England from Herbert Spencer to the Present Day*, pp. 86-90. For his own account of his early years see his *Autobiography*, I, 48-142.

² For a brief but incisive summary of the significance of this work see Giddings, *Sociology, a Lecture*, pp. 26-28.

oughly distinct, though harmonious, set of fundamental propositions.¹

2. *His philosophy of society.*—This is not the place to attempt to pass judgment upon the merits of Spencer's system as a whole. It certainly suggested the general line of approach to modern scientific knowledge which seems on the whole entirely correct, namely, the evolutionary viewpoint, however much of Spencer's particular view of evolution may fail to bear the tests of later and more specialized inductive and quantitative studies. Again, it is quite safe to say that his system represents probably the most impressive production of a single human mind since the time of Aristotle, which is, in practically all of its portions, concerned with useful knowledge. When compared with the arid metaphysics of an Aquinas, a Kant, or a Hegel, its content and method appear most gratifying. If his system is more open to criticism than theirs with the advance of knowledge, it is because he dealt with tangible matters capable of verification or disproof through the extension of knowledge and the refinement of scientific methods. Further, there can be little doubt that for original productivity of mind Spencer is quite unequaled. It requires a remarkable man, for instance, to produce a book like Wundt's *Psychology*, in which the author seems to have a good acquaintance with every important work on his subject, but, though such a work may be infinitely more valuable from a scientific point of view, it requires less of a

¹ See A. G. Keller, *Societal Evolution*, pp. 5 ff. The *First Principles* was followed by the *Principles of Biology*, 1864-67; the *Principles of Psychology*, in 1872; the *Study of Sociology*, in 1873; the *Principles of Sociology* from 1876-96; the *Principles of Ethics* from 1879-93; and *Man versus the State* in 1884. In addition to these systematic works, Spencer published a large number of articles which were collected in numerous volumes of *Essays*. For a complete list of Spencer's works see the article "Spencer," in the eleventh edition of the *Encyclopaedia Britannica*, and in W. H. Hudson, *An Introduction to the Philosophy of Herbert Spencer* (New York, 1894), Appendix, pp. 231-34.

Spencer produced this mass of material under conditions far from conducive to its execution. He was a chronic neurasthenic during the entire period of the development of his sociological system and his pecuniary resources were not always sufficient to keep his plan in a normal state of progress. The preface to the third volume of his *Principles of Sociology*, published in 1896, which completed the work to which he had devoted practically a lifetime, sums up the difficulties of the writer and expresses his satisfaction at his final success. To an understanding reader there are few more inspiring pages in literature than these few paragraphs.

genius to produce it than to evolve Spencer's *Principles of Psychology* from the recesses of one's mind after having read less formal psychology than the average elementary-school teacher in an American public school. In short, whatever may be destroyed by subsequent scientific progress in Spencer's system, and it seems that much of it has even now passed into the realm of rhetoric, still he may claim the distinguished honor of having placed practically all phases of scientific study upon the road to further progress by making their guiding principle that of evolution. The late Professor William Graham Sumner has well stated the significance of Spencer's establishment of the evolutionary principle in social science:

Mr. Spencer addressed himself at the outset of his literary career to topics of sociology. In the pursuit of those topics he found himself forced to seek constantly more fundamental and wider philosophical doctrines. He came at last to the fundamental principles of the evolution philosophy. He then extended, tested, confirmed, and corrected these principles by inductions from other sciences, and so finally turned again to sociology, armed with the scientific method which he had acquired. To win a powerful and correct method is, as we all know, to win more than half the battle. When so much is secured, the question of making the discoveries, solving the problems, eliminating the errors, and testing the results, is only a question of time and of strength to collect and master the data.¹

Natural and social science was thus rescued from the retrospective and obscurantist tendencies with which it had been struggling more or less hopelessly ever since Patristic theology had shackled its efforts by its dogmas of reliance upon ecclesiastical authority and justification by faith, and its concomitant deadly opposition to the discovery of scientific facts subversive of the tenets of the canon of accepted and final truth.²

¹ *The Forgotten Man and Other Essays*, p. 401.

² Four good works dealing with Spencer's system are: W. H. Hudson, *An Introduction to the Philosophy of Herbert Spencer* (New York, 1894); Josiah Royce, *Herbert Spencer, an Estimate and Review* (New York, 1904); Hector Macpherson, *Spencer and Spencerism* (New York, 1900); and H. Elliott, *Herbert Spencer* (New York, 1916). An authorized and approved digest of his system as a whole is to be found in F. H. Collins, *An Epitome of the Synthetic Philosophy* (New York, 1889). Finally, no one should consider himself thoroughly acquainted with Spencer unless he has read his *Autobiography*, which appeared posthumously in two volumes in 1904, and Duncan's *Life and Letters of Herbert Spencer* (1908).

As Spencer's whole system of social science was built up from his laws of evolution in general, it is essential to understand the fundamental propositions involved in his doctrines on this point. This is incomparably more important in Spencer's sociology than his development of the organic analogy, though most critics of his sociology have dwelt almost exclusively upon the latter. Spencer's laws of universal evolution are found in their complete development in the second part of his *First Principles*. In the first place, he finds three fundamental truths or propositions. Of these the basic one is the law of the persistence of force, which means the existence and persistence of some ultimate cause which transcends knowledge. The two remaining basic principles are the indestructibility of matter and the continuity of motion, both being derived from the principle of the persistence of force. There are in turn four secondary propositions. The first is the persistence of the relations among forces, or the uniformity of law. The second is the transformation and equivalence of forces, namely, that force is never lost but is merely transformed. The third is the law that everything moves along the line of least resistance or of greatest attraction. The fourth and final law is that of the rhythm or alternation of motion. To render this system complete some law must be found which will govern the combination of these different factors in the evolutionary process. This want is supplied by the law that, with an integration of matter, motion is dissipated and with a differentiation of matter motion is absorbed, and that the process of evolution is characterized by a passage from an incoherent homogeneity to a coherent and definite heterogeneity.¹ From these foundations he summarizes his complete law of universal evolution as follows: "Evolution is an integration of matter and a concomitant dissipation of motion during which the matter passes from a relatively indefinite, incoherent homogeneity to a relatively definite coherent heterogeneity and during which the retained motion undergoes a parallel transformation." Adding to this basic foundation of his evolutionary system such important corollaries as the instability of the homogeneous, due to the

¹ This latter fundamental doctrine was taken from the German writer, Von Baer. See Spencer, *Progress, Its Law and Cause* (1857), and *First Principles*, Sec. 43.

incidence of unlike forces; the spread of differentiating factors in a geometrical ratio; the tendency of differentiated parts to become segregated through a clustering of like units; and the final limit of all the process of evolution in an ultimate equilibrium, Spencer's system of evolution stands complete in outline. As the reverse of evolution stands dissolution, in which the process of evolution is undone through a reversal of stages in the process.¹ Spencer briefly applied this formula to all phenomena in the remaining portion of his *First Principles*, and the application to social processes therein to be found is the vital portion of Spencer's sociological system. The detailed extension of this preliminary application found in the *First Principles* constitutes Spencer's system of *Synthetic Philosophy*.

Spencer's formal treatment of sociology, aside from the outline of his system in the *First Principles*, is to be found in *The Study of Sociology*—a sort of prolegomenon to the subject, and still an indispensable introduction, and in the three large volumes of the *Principles of Sociology*. While Spencer gives an excellent summary of his whole philosophical system (see the reference to the Preface of Collins' *Epitome* above), he failed to present a succinct digest of his sociological theory. Professor Giddings attempted to supply this want and performed the task in a manner satisfactory to Spencer. His lucid and comprehensive summary follows:

Societies are organisms or they are super-organic aggregates.

Between societies and environing bodies, as between other finite aggregates in nature, there is an equilibration of energy. There is an equilibration between society and society, between one social group and another, between one social class and another.

Equilibration between society and society, between societies and their environment, takes the form of a struggle for existence among societies. Conflict becomes an habitual activity of society.

In this struggle for existence fear of the living and of the dead arises. Fear of the living, supplementing conflict, becomes the root of political control. Fear of the dead becomes the root of religious control.

Organized and directed by political and religious control, habitual conflict becomes militarism. Militarism moulds character and conduct and social organization into fitness for habitual warfare.

¹ For Spencer's summary of his system see his Preface to Collins, *op. cit.*, pp. viii–xi. Cf. also Mackintosh, *From Comte to Benjamin Kidd* (London, 1899), chaps. viii–ix.

Militarism combines small social groups into larger ones, these into larger and yet larger ones. It achieves social integration. This process widens the area within which an increasingly large proportion of the population is habitually at peace and industrially employed.

Habitual peace and industry mould character, conduct and social organization into fitness for peaceful, friendly, sympathetic life.

In the peaceful type of society coercion diminishes, spontaneity and individual initiative increase. Social organization becomes plastic, and individuals moving freely from place to place change their social relations without destroying social cohesion, the elements of which are sympathy and knowledge in place of primitive force.

The change from militarism to industrialism depends upon the extent of the equilibration of energy between any given society and its neighboring societies, between the societies of any given race and those of other races, between society in general and its physical environment. Peaceful industrialism cannot finally be established until the equilibrium of nations and of races is established.

In society, as in other finite aggregates, the extent of the differentiation and the total complexity of all the evolutionary processes depend upon the rate at which integration proceeds. The slower the rate the more complete and satisfactory is the evolution¹

Better known than Spencer's interpretation of society in terms of the laws of evolution, though not so vitally connected with his system, is his development of the analogy between society and an organism. This analogy was by no means original with Spencer, as it is to be found in Plato, Aristotle, St. Paul, and many of the early Christian Fathers; it was common throughout the Middle Ages,² and had been considerably elaborated among others by Comte, Krause, and Ahrens. It was reserved for Spencer, however, to present the first systematic development of the theory.³

Spencer enumerates six fundamental similarities between society and an organism. First, both are differentiated from inorganic matter by an augmentation of mass and visible growth during a greater part of their existence. Secondly, as both increase in size they increase in complexity of structure. Thirdly, progressive

¹ *Sociology, a Lecture* (1908), pp. 29-30.

² See Gierke, *Political Theories of the Middle Ages* (trans. by Maitland), pp. 22-30, and notes, 66-100,

³ *The Social Organism* (1860); *Specialized Administration* (1871); *Principles of Sociology*, Vol. I, Part II; citations from the *Principles of Sociology* are from the New York edition of 1896.

differentiation of structure in both is accompanied by a like differentiation of functions. Fourthly, evolution establishes in both social and animal organisms not only differences, but definitely connected differences of such a character as to make each other possible. Fifthly, the analogy between a society and an organism is still more evident when it is recognized that conversely every organism is a society. Finally, in both society and the organism, the life of the aggregate may be destroyed and the units still continue to live on for a greater or less space of time.

On the other hand there are three important differences to be noted between society and the organism. In the first place, whereas in an individual organism the component parts form a concrete whole, and the living units are bound together in close contact, in the social organism the component parts form a discrete whole and the living units are free and more or less dispersed. Again, and even more fundamental, whereas in the individual organism there is such a differentiation of functions that some parts become the seat of feeling and thought and others are practically insensitive, in the social organism no such differentiation exists; there is no social mind or sensorium apart from the individuals that make up the society. As a result of this second difference there is to be observed the third distinction, namely, that, while in the organism the units exist for the good of the whole, in society the whole exists for the good of the members.¹

These two fundamental theories of society—the evolutionary and the organic—comprise the major theoretical contributions of Spencer to sociology. His remaining voluminous works on the subject are primarily descriptive, though in many cases presenting a keen analysis of social processes. Just how Spencer's sociological system will rank in the future, when more refined quantitative statistical and ethnological studies have allowed the general body of sociological theory to assume something like a final form, it is difficult to say. It seems safe to hold that as a physical inter-

¹ *Principles of Sociology*, Vol. I, Part II, chaps. ii-ix, particularly chap. ii. More detailed analyses of Spencer's organic theory of society are to be found in F. W. Coker, *Organismic Theories of the State*, pp. 124-39; and Ezra T. Towne, *Die Auffassung der Gesellschaft als Organismus, ihre Entwicklung und ihre Modifikationen* (Halle, 1903), pp. 41-48.

pretation of society his system will remain in general outline the final statement of the subject. The organic analogy will doubtless be accepted as an interesting bit of description, but will be discarded as possessing little value as an explanation of social processes. How much will remain of his historical sociology can hardly be determined at present; already the researches of the more critical ethnologists like Professor Ehrenreich in Germany, Professors Durkheim, Hubert, and Mauss in France, Professors Rivers and Marett in England, and Professor Boas and his disciples in America have tended to overthrow almost entirely the highly orderly and almost mechanically systematic anthropological schemes of the classical school of anthropology of which Spencer was one of the most thoroughgoing exponents. If, however, one can no longer hold with Professor Carver that not to have read Spencer's *Principles of Sociology* would disqualify one from discussing the subject to a degree greater than that which would be caused by the neglect of any other treatise,¹ still it will probably be accurate to say that, viewed from the standpoint of the historical development of the subject, Spencer's contribution was the most far-reaching in its influence that has yet been made. Professor Small has admirably summarized the significance of Spencer's position, particularly as set forth in the *Principles of Sociology*:

Spencer's scheme is an attempt to give name, and place, and importance to the meaning factors in human association. It is not a system of speculative conceptions. It is an attempt to represent in language the literal facts of society in the relations in which they actually occur in real life. It is a device by means of which, in proportion as it is adapted to its purpose, we should be able more truly, more comprehensively, and more profoundly to understand, for instance, the life of the people of the United States, than we could without the aid of such description. The fair test is, not to ask whether this scheme leaves nothing in the way of social exposition to be desired, but whether it lays bare more of essential truth about society than is visible without such an interpretation; not whether there is a remainder to be explained, but whether more appears in the confusion of everyday life than is discovered before it is seen in terms of these symbols. Judged by this test the Spencerian scheme is certainly an approach to truth.²

¹ See his review of the work in Peabody, *A Readers' Guide to Social Ethics and Allied Subjects*, p. 29.

² A. W. Small, *General Sociology*, p. 130. For estimates of Spencer's importance for sociology see Giddings, *Principles of Sociology*, Book I, chap. i, and his adaptations

II. SPECIFIC POLITICAL THEORIES¹

1. *The relation of sociology to political science and the study of the state.*—As regards the question of the relation of sociology to political science, Spencer differed from Comte in holding that the special social sciences are distinct but co-ordinated branches of sociology, and that, as such, they are legitimate bodies of science. However, his differentiation between the scope of sociology and the special social sciences was not clearly worked out. His summary of the relation of sociology to political science and of the legitimate treatment of political problems by sociology presented in his chapter on "The Scope of Sociology"² covered completely the field now generally allotted to political science, though with a distinctly sociological orientation. He says here:

Sociology has next to describe and explain the rise and development of that political organization which in several ways regulates affairs, which combines the actions of individuals for purposes of tribal or national offence or defence; and which restrains them in certain of their dealings with one another, as also in certain of their dealings with themselves. It has to trace the relations of this co-ordinating and controlling apparatus, to the area occupied, to the amount and distribution of population, and to the means of communication. It has to show the differences of form which this agency presents in different social types, nomadic and settled, militant and industrial. It has to describe the changing relations between this regulating structure which is unproductive, and those structures which carry on production. It has also to set forth the connexions between, and the reciprocal influences of, the institutions carrying on civil government, and other governmental institutions simultaneously developing the ecclesiastical and the ceremonial. And then it has to take account of those modifications which persistent political restraints are ever working in the characters of the social units, as well as the modifications worked by the reaction of these changed characters on the political organization.³

of Spencer's doctrines in all his works; Ward, *Dynamic Sociology*, I, 139-219; Small, *General Sociology*, pp. 109-153; Ross, *Foundations of Sociology*, pp. 42-47; and above all Leopold von Wiese, *Zur Grundlegung der Gesellschaftslehre; eine kritische Untersuchung von Herbert Spencer's System der Synthetischen Philosophie* (Jena, 1906).

¹ Among the best analyses of certain phases of Spencer's political theories are Ritchie, *Principles of State Interference*; Ernest Barker, *Political Thought in England from Spencer to the Present Day*, chap. iv; and Coker, *Organismic Theories of the State*, pp. 124-39.

² *Principles of Sociology*, Vol. I, Part I, chap. xxvii.

³ *Ibid.*, Vol. I, Sec. 210, p. 438. Cf. *The Study of Sociology*, chap. i.

This is an excellent outline of what might constitute a sociological survey if not a complete sociological theory of the state. Spencer's fulfilment of this task in the section of his *Principles of Sociology* dealing with "Political Institutions," and in numerous essays and parts of other works, is doubtless among the most extensive treatments of political problems which any sociologist, with the possible exception of Gumpłowicz and Ratzenhofer, has attempted.

2. *Fundamental political concepts and definitions.*—Spencer seems to have distinguished in a fairly definite manner between the concepts of society and state, though he makes no attempt at a formal treatment of this somewhat academic subject. He unquestionably regards the state as society politically organized. He conceives of the state as that conscious organization of co-operative activity in a society which concerns the group as a whole. "Political organization," he says, "is to be understood as that part of social organization which consciously carries on directive and restraining functions for public ends."¹

Spencer thus does not make the state coextensive with society or a further refinement of society, but simply regards it as society organized as a political unit. Society, as a whole, is supported by two types of co-operation: the private spontaneous co-operation which is concerned with matters which do not affect the group as a unit except in indirect ways; and the "consciously devised" co-operation which deals with the public activities of the group as a totality. It is the latter only which directly originates and supports the state.²

He does not, however, distinguish so clearly between the state and the government³—something that is hard for an Englishman to do, since in England legal sovereignty and the law-making power reside in the same body.⁴ At the same time, it seems reasonably clear that Spencer would have defined government as the particular form of structure which the political organization might assume, in other words the correct notion of the government as the mechan-

¹ *Principles of Sociology*, II, 247.

² *Ibid.*, pp. 244-48.

³ Cf. Ritchie, *op. cit.*, p. 23 and note.

⁴ Cf. Dicey, *The Law of the Constitution*, Lecture II.

ism of administration.¹ Speaking in terms of the organic analogy, the state is the system which has for its function the regulation of the social organism; the organs which perform this function are known as the government.² As to the distinction between the terms state and nation, it seems that Spencer used the word nation, in general, as meaning the state in its objective political and geographic aspects—the conventional use of the term, though not the same connotation that is given to it by the strict terminology of political science.³

Spencer agrees with the usual conception as to what constitutes the fundamental attributes of the state as far as territory, population, and governmental organization are concerned, but he balks at the notion of an unlimited sovereign authority. To an arch-individualist like Spencer, the conception of an irresistible power in society against which the individual had no legal rights or power of resistance was most repugnant. Hobbes, Bentham, and Austin are as scathingly attacked by Spencer as Blackstone was by Bentham. "Analyze his assumption, and the doctrine of Austin proves to have no better basis than that of Hobbes. In the absence of admitted divine descent or appointment, neither single-headed ruler nor many-headed ruler can produce such credentials as the claim to unlimited sovereignty implies."⁴ Natural, or perhaps better, individual, rights rather than sovereignty were the cornerstone of Spencer's political theory. But individual rights, as conceived by Spencer, are neither those which may be assumed by metaphysical ethics nor those artificial rights conferred by a governmental agent. Rather they are those indispensable rights which must be guaranteed to an individual in order that society may exist and function properly.⁵ Such a doctrine of

¹ *Principles of Sociology*, II, 310-17; *Justice* (New York, 1891), p. 193.

² *Principles of Sociology*, I, 491-97, 519-48.

³ *Ibid.* II, 615; *Social Statics*, p. 120; *Man versus the State*, p. 410.

⁴ *Man versus the State* (with the abridged and revised *Social Statics*) (New York, 1892), pp. 380-81. As Ritchie points out, part of Spencer's confusion with respect to the problem of sovereignty was due to his tendency to personify the abstract philosophical concept.

⁵ *Ibid.*, pp. 387 ff., particularly pp. 405-6; see below, section 6.

natural rights is perfectly valid, and is not as, Barker intimates, entirely incompatible with the most sweeping doctrine of a social organism. It is chiefly the excessive extent of this field of indispensable natural rights insisted upon by Spencer which may be called in question, rather than the theoretical aspects of the problem. It must be admitted that it is rather a difficult problem philosophically to reconcile this doctrine of indispensable rights with the notion of an absolute sovereign power, which, on the one hand, is the sole power able to guarantee the enjoyment of these rights, and yet, at the same time, has an undisputed theoretical right to wrest them from the individual. The best way out of the situation is to give up trying to perfect a metaphysical reconciliation and admit that in practice these rights are more likely to be guaranteed by the presence of a sovereign authority than without it. This admission, however, Spencer was unwilling to make.

3. *The foundations and justification of political authority.*—The question of the origin of the state and the government Spencer treats both analytically and historically. In both senses the immediate basis of political control, and that which has made it possible through the ages, is the “fear of the living” in the same way as the “fear of the dead” is the basis of religious control.¹ Of course, this fundamental distinction is not perfect, for in some cases political control is furthered by the fear of the dead, as when a chief is believed to be able to control the ghosts of his ancestors, and likewise the fear of the ecclesiastical government is an important element in effective religious control, but in general this must be admitted to be a vital differentiating principle.

In an analytical sense, the state and government arise because society cannot function properly without them. A society is not established by the mere physical contiguity of a mass of individuals, but is only constituted when there is a developed system of co-operation among these units. The state and government not only supply one of the two great types of co-operation, that which controls the group as a whole concerning public ends, but they also further

¹ *Principles of Sociology*, I, 437

the development of private co-operation. They do this by removing the obstacles to private co-operation through the elimination of conflict among individuals and by increasing the size of the group in which the co-operation develops. The larger the group the greater the amount of division of labor and specialization that is possible.¹ In like manner, legal rights and their enforcement have their philosophical basis in the fact that only under such conditions can society continue its existence and function properly.² Speaking in terms of the organic analogy, the explanation of the state is identical in principle, since in any perfected organism there must be a definite regulating system in order to insure the proper functioning of the sustaining and distributing systems.³

The structure of government similarly is easily amenable to analysis. There is a natural triune structure due to the inherent differences in mankind. Whether one takes for example a primitive tribe or a modern state the organization for governmental purposes falls into three classes: (1) a leader; (2) the small minority of able and distinguished men—i.e., the consultative body; (3) the vast mass of inexperienced and mediocre citizens who simply listen to, and agree with or dissent from, the acts and opinions of the leader and council—i.e., the representative body. Despotism, oligarchy, or democracy are simply a condition of the undue prominence of one of these three components of government.⁴ The great force behind political organization and the particular forms through which it is manifested is "the feeling of the community." This is based to a certain degree upon the reaction of the community to present problems, but depends to a far greater extent upon that long-inherited attitude which is crystallized into custom and tradition. Political organization is simply the agency for applying this "feeling of the community." Thus, this unconscious fear of the dead, which is the psychological content of custom,

¹ *Ibid.*, II, 244-50.

² *Man versus the State*, pp. 383 ff.

³ *Principles of Sociology*, I, 519-48.

⁴ *Ibid.* II, 310-17. The similarity of this analysis of the structure of government to those of Aristotle and Polybius is too obvious to escape notice. Cf. Gidding's theory of "protocracy" in his *Responsible State*, pp. 17-20.

aids the fear of the living in maintaining political control. This notion Spencer sums up in the following manner:

We are familiar with the thought of the "dead hand" as controlling the doings of the living in the use made of property; but the effect of the "dead hand" in ordering life at large through the established political system, is immeasurably greater. That which, from hour to hour in every country, governed despotically or otherwise, produces the obedience making political action possible, is the accumulated and organized sentiment felt towards inherited institutions made sacred by tradition.¹

4. *The historical evolution of political institutions.*—Spencer's account of the historical evolution of political organization is very elaborate, but his conclusions are open to the same degree of skepticism as his account of the general evolution of institutions. His method was one—that of the classical anthropologists—which is abandoned by all scholarly and critical ethnologists at the present time. He would gather together illustrative material from his *Descriptive Sociology* bearing upon the evolution of any particular institution, absolutely regardless of the relation of the particular practice to the whole cultural complex of the particular localities from which the information was drawn, or of the different stages of culture which contributed evidence in support of his thesis. The Shoshonean Indians and the Italian cities at the time of the Renaissance might thus be offered as supporting evidence for any particular process or "stage" in social evolution. The mass of material offered to the reader, its seeming comprehensiveness, as apparently drawn from all parts of the world and from all ages, and the incomparable logical skill with which Spencer marshaled his evidence, all tended for years to make Spencer's historical sociology the *sine qua non* of the subject.² The application of more refined methods in ethnology, and the cumulative evidence of intensive original investigation of cultural areas by competent ethnologists, have, however, tended to call in question many of Spencer's generalizations. Aside from his faulty methodology, the general assumptions of the classical school of anthro-

¹ *Principles of Sociology*, II, 317-27.

² For his own description of his method see his *Autobiography*, Vol. II, chap. xlvii, particularly pp. 325-27.

pology, of which he was a prominent member, regarding the universality of cultural traits and the orderly process of evolution have been seriously challenged by later investigations. It is now rather generally conceded by ethnologists that it requires about four specialists competently to investigate any particular cultural area, to say nothing of attempting to survey the whole course of social evolution. An accurate historical sociology can only be written in that distant future when reliable monographs by specialists shall have summarized what ethnologists and cultural historians have discovered regarding particular areas and special periods. Nevertheless, it is doubtful if anyone could have reached better logical conclusions by the use of Spencer's methods, and the healthy skepticism which one may entertain regarding his conclusions should not prevent one from having the highest respect for the constructive logic and the brilliant fertility of imagination displayed in Spencer's history of society.

Spencer's main conclusions regarding the evolution of political organization may be summarized about as follows. At the outset society may be assumed to have existed as undifferentiated and unorganized hordes. The beginning of authority and political organization was the temporary submission of the group to a leader in times of war.¹ The natural prowess of this leader in war was often aided by his supposed power to control ghosts and obtain their aid, thus bringing a supernatural sanction to his rule.² In the due course of time, with the improving organization of society, the more frequent periods of warfare, and the better organization of military activity, this temporary war leader evolved into the chief or king, who held his power for life. In turn, the difficulties and disorder which occurred at the death of a leader and during the period of the choice of a successor tended to establish the principle of hereditary leadership. In this manner stability and permanence of leadership were provided for.³ Along with this development of the ruler went the parallel evolution of the consultative and representative bodies. At first merely spontaneous bodies meeting in times of necessity, they evolve into formal

¹ *Principles of Sociology*, II, 331 ff.

² *Ibid.*, pp. 338 f.

³ *Ibid.*, pp. 341 ff.

senates and assemblies.¹ The processes of integration and differentiation are exhibited in the development of political organization, as well as in evolution in general. The great period of military activity which characterized the earlier stages of political evolution brought about the consolidation of the petty primitive groups and their respective territory.² As the best-organized groups tended to win in the inter-group struggle, the integration of society and the extension of the range of power of the successful state was a cumulative process.³ With the integration of political authority, both in scope of application and increase of area of control, there went a corresponding increase in differentiation and co-ordination. The differentiation in society, which begins in the family, is extended through the periods of conquest that characterize early political progress, until it has created the classes of wealthy rulers, ordinary freemen, serfs, and slaves.⁴ As political power becomes concentrated in a definite ruling class and is increased in scope and applied over a larger territory, it has to be delegated in order to be administered with efficiency.⁵ All of the vast machinery of modern government with its ministries, its local governing agencies, its judicial, revenue, and military systems is but the further differentiation and co-ordination of the earlier fundamental organs of government, expressed in the simple triune structure of chief, council, and assembly.⁶ The state at first centers all of its attention upon military organization, conquest, and territorial aggrandizement,⁷ but as time goes on its attention is turned more and more toward the development of industry.⁸ From this moment onward the process of political evolution is one of a transformation of the military state into the industrial state. This process is still under way. The purely industrial state, however, is not the goal of social evolution. The ultimate stage

¹ *Principles of Sociology*, pp. 366-442.

² *Ibid.*, pp. 265-68.

³ *Ibid.*, pp. 280 ff.

⁴ *Ibid.*, pp. 288 ff.

⁵ *Ibid.*, pp. 357 ff., 442 ff.

⁶ *Ibid.*, pp. 311 ff. For a criticism of the Spencerian formula of political evolution as a matter of progressive differentiation of authority and administration, see Tarde, *Les Transformations du pouvoir*, pp. 198-207, 221-30.

⁷ *Principles of Sociology*, II, 241 ff., 265 ff., 568 ff.

⁸ *Ibid.*, pp. 603 ff.

to be hoped for is one in which the resources of a developed industrialism may be turned toward the perfection of human character in its higher and more truly socialized aspects of moral conduct.¹

In spite of his elaborate treatment of the origin and development of the different branches of political organization, Spencer nowhere gives a clear picture of the evolution of the state and sovereign power as a related whole, and this failure doubtless contributed to a large degree to make Spencer unable to grasp the real significance of the state.

5. *Forms of the state and the government.*—In his treatment of the forms of the state, Spencer discards for political analysis the conventional classification of states and devotes his attention to a classification based upon the end toward which organized political society functions. Spencer finds that political society has functioned for two specific ends in the course of history—military aggression and industrial development. Comte had suggested such a differentiation, though he had more accurately interpolated a critical and revolutionary period between the primarily military and the primarily industrial eras. These two periods, while sharply differentiated in principle, tend to overlap in a historic sense. The present era, while beginning to be primarily industrial, still contains only too many survivals from the military régime.² Nevertheless close analysis reveals the fact that each of these systems is characterized by a definite set of principles and generates a type of character in its citizens which is almost diametrically opposed to what is found in the other.

In the militant type of society corporate action is necessary and all must bear their part in this activity.³ All of the energies of the society are devoted to the furthering of military efficiency, since those who cannot fight are busily engaged in providing supplies for the warrior class.⁴ The individual is thus completely subordinated to society through that despotic governmental organization which is essential to produce this highly specialized adjustment of society to military activity.⁵ To secure a proper administration of this despotic control over a large area and a

¹ *Ibid.*, pp. 646 ff.

² *Ibid.*, pp. 568–69, 605 ff.

³ *Ibid.*, p. 569.

⁴ *Ibid.*, pp. 569–70.

⁵ *Ibid.*, pp. 571–73.

considerable population there must be a thorough regimentation of society, extending from the ruler to the humblest subject. The regulation administered by this despotic and bureaucratic system is both positive and negative.¹ This system of regimentation develops a rigidity in society, owing to the enforced specialization, which makes it difficult for the individual to change his position in society. In fact, the position of the individual is merely one of *status*.² In order to secure economic independence, so valuable in times of war, the society pursues a vigorous policy of protectionism.³ Since success in war is the supreme aim of society, bravery and strength are made the chief moral qualities toward which the ambitious individual may aspire.⁴ A selfish patriotism that regards the supremacy of the particular society as the chief end of social activity is the dominating sentiment in the militant state.⁵ The deadening influence of officialdom lessens individual initiative, fosters the belief that universal governmental activity is indispensable, and blinds society to the conception of the impersonal factors in progress and social evolution.⁶

The industrial type of society is not to be distinguished from the militant by the amount of industry which is being carried on, as militant states may be very industrious. Neither can it be completely characterized by having as its chief end the development of industry, for socialistic and communistic states assume to aim at this goal. Rather, the industrial type of society is one which combines the end of industrial improvement and development with absolute freedom of individual initiative within the limits of order and equity. In the industrial type of society there is no longer any all-pervading compulsory corporate activity; the small amount of such action that is retained is merely designed to prevent unnecessary interference with individual initiative and freedom.⁷ For this type of society a representative and not a despotic government is required, and the function of such a government is to administer justice, or, in other words, to see that each

¹ *Principles of Sociology*, pp. 573-75.

³ *Ibid.*, pp. 577-78.

⁵ *Ibid.*, pp. 594 ff.

⁷ *Ibid.*, pp. 603-8.

² *Ibid.*, pp. 575-76.

⁴ *Ibid.*, p. 592.

⁶ *Ibid.*, pp. 576-77, 598-600.

member of society gets a reward which is directly proportionate to, and resultant upon, his efforts. The government, instead of being both positively and negatively regulative, as in the militant state, is now only negatively regulative. The position of the individual changes from one of *status* to one of *contract*. Individual activity and voluntary co-operation are encouraged. Society in the industrial régime is plastic and easily adaptable to change. Finally, there being no longer any need of economic self-sufficiency, the rigid protectionist policy must break down and the economic barriers of nationality tend gradually to be dissolved. A single government, or a federation of governments, may be looked forward to as the goal of political organization. As to the reaction of the industrial era upon the units of society, patriotism tends to become more refined, society loses its faith in the infallible efficacy of governmental interference, and individuality becomes stronger, more self-assertive, and mutually respectful of rights.¹ Though industrialism is not yet more than imperfectly realized, it should not be assumed to be the final goal of social evolution. A new era, primarily devoted to the development of man's ethical nature, may be hoped for after the industrial régime has been perfected.²

Spencer does not devote any considerable space to the question of the forms of government. His detailed account of the evolution of "political forms" is mainly concerned with an analysis of the development of what are usually known as the departments of government. Spencer claims, however, that a close relation exists between these departments of government and the different forms of government, for he revives the old classical doctrine that monarchy is a government characterized by the undue predominance of the single leader; oligarchy a type in which the council is abnormally prominent; and democracy that in which the representative factor has become disproportionately powerful.³ Though Spencer grants the existence of these three types of government, he really believes that there are only two pure forms—monarchy and representative government, meaning by the latter democracy. Between these two extremes, which are based upon the contradictory

¹ *Ibid.*, pp. 608 ff.

² *Ibid.*, pp. 646 ff.

³ *Ibid.*, p. 317.

assumptions that society should obey the will of one individual and that its members should be governed by their own wills, there are a number of different grades of mixed governments. While these mixed forms of government are absurd from the standpoint of logic, they are good enough in practice, as their incongruities agree with those of a society in transition from the crude military state to the plastic industrial state. "Nevertheless, though these mixed governments, combining as they do two mutually destructive hypotheses, are utterly irrational in principle, they must of necessity exist, so long as they are in harmony with the mixed constitution of the partially adapted man."¹

Democracy, Spencer defines as "a political organization modelled in accordance with the law of equal freedom."² Or, again, he describes it as "a system which, by making the nation at large a deliberative body, and reducing the legislative assembly to an executive, carries self-government to the fullest extent compatible with the existence of a *ruling power*."³ While granting that monarchy and despotism had their historic function,⁴ Spencer is wholly in favor of democracy in any society in which the citizens have reached a sufficiently high level of moral and intellectual development to be trusted with the administration of this type of government. Not every society is fitted for the maintenance of a democratic government. Conduct has to be ruled either by internal or by external restraint, and among those people whose moral sense has not been sufficiently developed to furnish an adequate internal restraint a democracy is out of place and a more coercive type is essential. Not only must there be a high moral sense among the citizens to make democracy practicable, but there must also be a sufficient degree of intelligence and a high enough estimation of the value of freedom to make the citizens alert in detecting infringements upon their liberty and capable in the use of the franchise. When such conditions exist democracy is the ideal type of government.⁵ But in no case should one put

¹ *Social Statics* (abridged edition with *Man versus the State*, New York, 1892), pp. 248-49.

² *Ibid.*, p. 105.

³ *Ibid.*, p. 248.

⁴ *Principles of Sociology*, II, 231.

⁵ *Social Statics*, pp. 105-8.

any faith in a particular type of government as such. The best is out of place and likely to fail except among a people whose national character fits them by experience for such a form.

Anyone who looks through these facts and facts akin to them for the truth they imply may see that forms of government are valuable only where they are products of national character. No cunningly devised political arrangements will of themselves do anything. No amount of knowledge respecting the uses of such arrangements will suffice. Nothing will suffice but the emotional nature to which such arrangements are adapted—a nature which during social progress has evolved the arrangements.¹

6. *Sovereignty, liberty, and the sociological theory of political rights.*—For the doctrine of legal sovereignty Spencer had little respect. The whole conception was repugnant to his mind. Consequently, he avoided any attempt to trace its origin or to define its attributes. His only concern was to dispute the tenets of the upholders of the doctrine and establish logical and historical grounds for justifying the limitations upon sovereignty. He was willing to admit that there is such a thing as Dicey calls political sovereignty, namely the physical power of a majority to coerce the minority, but he claimed that some higher justification of submission to authority must be discovered.² To this quest he devotes the last essay in the *Man versus the State*, which he entitles “The Great Political Superstition,” meaning by this the doctrine of the sovereignty of the legislature, which had supplanted the outgrown doctrine of the sovereignty of the monarch. The correct manner of discovering the principle involved in the just submission of the minority to the majority Spencer conceives to be found in formulating the hypothetical question of what type of agreement to co-operate the majority of citizens would enter into with unanimity.³ This reminds one of Rousseau’s famous problem of establishing state authority and at the same time preserving the liberty of the individual. Spencer finds in answer to his problem that practically everyone would agree to co-operate in defending their territory against external aggression and in

¹ *Study of Sociology* (New York ed., 1876), p. 275. Cf. also *Principles of Sociology*, II, 230–43.

² *Man versus the State*, pp. 382–83. See above, section 2.

³ *Ibid.*, p. 384.

protecting their persons and property against internal violence and fraud. To this extent, then, the submission of the minority to the majority is valid and legitimate; beyond it such submission is unjust and illegitimate.¹ A hypothetical contract thus replaces the old doctrine of an actual contract as the solution of the problem of reconciling liberty and authority. When one remembers that few of the classical writers of the contract school, with the possible exception of Locke, believed in the actual historicity of the social contract, Spencer's solution does not seem to differ greatly in principle from theirs, however different may have been his deductions from that principle.

As to the vital question of the origin of the legal rights of the individual, Spencer claims, in opposition to Bentham and to recent political scientists in general, that they are not historically derived from governmental action, but are really antecedent to government. They are those indispensable modes of individual freedom which have been found by ages of experience to be fundamental to any normal and continuous social life. They existed by sheer necessity before any legal enactment, and the only part government has played has been to codify and enforce these rights which previously existed in custom and usage.² Such a doctrine of natural or individual rights, however erroneous may be its historic aspects, is not logically inconsistent with the doctrine of the social organism, as Barker would indicate.³ Rather these individual rights are the fundamental prerequisite for the existence of the social organism. Spencer's theory of natural rights as the product of social experience, rather than as derived from a priori rationalizing, is valid. The chief criticism of his theory is that what he assumed to be derived from the experience of the race was quite as frequently produced from his fertile imagination concerning what the experience of the race ought to have been.⁴

7. *The proper and legitimate scope of state activity.*—With the possible exception of his dogma that social reform could not be

¹ *Man versus the State*, pp. 406-7.

² *Ibid.*, pp. 390-407; see also *Social Statics*, pp. 91-94.

³ *Op. cit.*, chap. iv.

⁴ For a critical treatment see Ritchie, *op. cit.*, pp. 31-45.

expected from direct legislative measures¹ the most famous part of Spencer's political theory was his analysis of the legitimate sphere of state activity. As one eminent sociologist recently observed, Spencer was so busy throughout his life attempting to formulate a doctrine of what the state should not do that he failed to develop any coherent positive theory of the state. Spencer's well-known vigorous opposition to extensive state activity or positive remedial social legislation seems to have been based upon two main factors, the view of the nature of social evolution which was current in the middle and third quarter of the nineteenth century and the traits of his neurotic constitution which made the authority of the state abhorrent to him.

The idea that social development and the proper working of the social process is an automatic and spontaneous affair had long been accepted before the time of Spencer. In its earliest modern form it grew out of the reaction of Newtonian cosmic mechanics upon the social science of the eighteenth century. The English Deists and the French Philosophes developed the notion that social institutions were governed by the same "natural laws" that Newton had shown to dominate the physical universe. Their preliminary assumption was taken up and incorporated in social science by the French physiocrats and the classical economists, the latter employing it as a philosophic defense of the new capitalistic system produced by the Industrial Revolution. Though this conception was shown to be unsound early in the nineteenth century by Rae, Hodgskin, and Sismondi, it prevailed very generally throughout the century. With the development of the evolutionary hypothesis a new "naturalism" was provided. It was believed that the highly organized types of animal life had developed from lower forms in an automatic and independent manner. It was easy to postulate a direct analogy between organic and social evolution, and to contend that social evolution was a wholly spontaneous process which artificial human interference could in no way hasten, but might fatally obstruct or divert. It was Spencer more than any other writer who originated this view of social development as an argument against state activity—a position

¹ Cf. *Study of Sociology*, pp. 270-71.

which Lester F. Ward and Leonard T. Hobhouse have seriously challenged.

Spencer seems to have derived from some source what the modern dynamic psychologists would designate as an extreme "anti-authority complex." Coupled with what is known regarding his early life, especially his early domination by male relatives, and his confirmed neurotic tendencies, it is not impossible that his persistent and ever-growing resentment against the extension of governmental activity may have been personally motivated by a neurotic reaction. It must also be remembered that Spencer came from a dissenting family and was reared in that atmosphere. It seems on the whole that his attitude in this respect must have had a deep-rooted personal emotional foundation, as it diverged materially from some of the vital premises of his general philosophy, and this inconsistency was continually causing him trouble and entailing considerable labor in patching up a reconciliation.¹ Be this as it may, his attitude in respect to the question of state activity may quite well have been originated, and it certainly was abundantly nourished by the political conditions of his lifetime. The revolutionary ideas of the early nineteenth century with their doctrines of the efficacy of hasty and violent political reform, and the great volume of proposed remedial legislation designed to solve the problems which the disorganization of the older social control by the Industrial Revolution had presented, were admirably adapted to awaken sentiments like those entertained by Spencer and to prevent them from becoming dormant.²

Spencer published his first essay on this subject, entitled *The Proper Sphere of Government*, in 1842 and eight years later appeared his first elaborate treatise, *Social Statics*. The fundamental principle of this work is Spencer's law of equal freedom, which is but a revival of Rousseau's definition of liberty and contends that each individual shall enjoy as perfect a degree of freedom as is compatible with the equal privilege of other individuals.³ In this

¹ Cf. Barker, *op. cit.*, pp. 112 ff.

² For Spencer's own account of the development of his political theories see his *Autobiography*, II, 431-36. This seems to be somewhat of a "rationalization after the fact."

³ *Social Statics*, pp. 103 ff. In this connection the edition of 1850 is used. Citations other than those in this paragraph are from the abridged edition of 1892.

work Spencer states his famous theory of the state as a joint-stock company for the mutual protection of individuals¹ and presents his catalogue of activities from which the state should refrain, with a detailed analysis of his views in support of his position. This list of interdicted activities includes the following, some of which are rather startling: commercial regulation, state religious establishments, charitable activities tending to interfere with natural selection, state education, state colonization, sanitary measures, regulation and coining of money, postal service, provision of lighthouses, and improvements of harbors.² The real duty of the state is to administer justice, which consisted theoretically in maintaining the law of equal freedom, and practically in protecting the life and property of the citizens from internal robbery and fraud and from external invasion.³

In *The Study of Sociology* (1873) Spencer repeats his fundamental notions regarding political laissez faire, especially in the justly famous opening chapter on "Our Need of a Social Science," and in the equally excellent chapter on the "Political Bias." In one passage in his *Study of Sociology*,⁴ Spencer approaches the view of Sumner regarding the "Forgotten Man" as the one who bears most of the financial burdens of state activity and gets the least benefit from this legislation. His political theories, expressed in the *Principles of Sociology*, are mainly historical and analytical, and, with the exception of the contrasts between militant and industrial society, deal only incidentally with the question of the amount of state activity. Between 1850 and 1884, when he published his *Man versus the State*, Spencer contributed a large number of articles on the subject of non-interference. These have been for the most part gathered together in the third volume of his *Essays, Scientific, Political, and Speculative* (New York, 1891). Perhaps the most important among them is his "Specialized Administration" (1871), issued in answer to Professor Huxley's

¹ *Ibid.*, pp. 206 ff.

² These prohibited activities are retained practically unchanged in the abridged edition of 1892.

³ *Ibid.*, pp. 66-72, 250 ff. For Spencer's own estimate of the doctrines expressed in *Social Statics* in later years see *Autobiography*, I, 415-21, and the Preface to the abridged edition of 1892.

⁴ Pp. 285-86.

attack on Spencerian doctrines in his essay on *Administrative Nihilism* (1870). By the doctrine of specialized administration Spencer means the relinquishment by the government of its function of positive regulation of human activities and the perfection of its negatively regulating function.¹ He also published a telling diatribe against socialism under the title "From Freedom to Bondage,"² and the second essay in his *Man versus the State*, "The Coming Slavery," is also mainly devoted to a refutation of socialistic propositions. Finally, in *Man versus the State*³ and in *Justice*⁴ one may look for Spencer's final word on the subject. In *Man versus the State* he inveighs against the socialistic tendencies of the age, the attempted intrusion of family ethics into the field of state activity, and, lastly, he attempts a refutation of the contemporary dogma of the sovereignty of Parliament as the representative of the majority. His final doctrine regarding the proper sphere of government, as here stated, is that it should be limited to the provision for safety from physical assault, the freedom and enforcement of contracts, and the protection of the individual from foreign aggression, in other words, to be concerned purely with negative regulation.⁵ In the postscript to the final edition of *Man versus the State*, he admits that he is fully aware that his theory of state activity is far in advance of his age and that it will not be adopted for generations to come, but justifies his devotion to the cause on the ground that society must have an ideal to guide it toward realization.⁶

¹ *Essays*, III, 440.

² *Ibid.*, pp. 445-70. This was originally written as an introduction to a composite work, *A Plea for Liberty*, attacking socialistic doctrines.

³ 1884. Citations are from the revised edition of 1892, published with the abridged *Social Statics*.

⁴ New York, 1891; *Principles of Ethics*, Part IV.

⁵ Pp. 401-11. Cf. also *Justice*, p. 46, and chap. xxv; *Study of Sociology*, p. 286.

⁶ A new edition of *Man versus the State*, edited by Truxton Beale (New York, 1916), contains critical comments upon Spencer's doctrines by leading conservative American statesmen and political writers with the obvious purpose of combating progressive tendencies. For the relation between Spencerian doctrine and anarchism, see E. Zencker, *Anarchism: A Criticism and History of the Anarchist Theory* (New York, 1897), pp. 245-59.

Spencer has been roundly criticized by many writers, notably by Mr. Ritchie¹ for the inconsistency between his doctrine of the social organism and the inference that with the evolution of society the regulating structure of government will gradually disintegrate. That there is a discrepancy here which Mr. Spencer's ingenuity was never quite able to explain away cannot be denied, but the logical completion of the organic doctrine with its assertion that the function of government must become more and more all-inclusive is hardly more satisfactory. With a type of society in which intellect guides legislation, as was assumed by Comte and later by Ward, progress may be hoped for through an extension of state activity, but, in view of the present general level of intelligence and moral character of the usual run of the governmental officers in modern political systems, many modern thinkers would rather trust to the efficacy of voluntary organization. It seems that this was essentially the view of Spencer.

As to the field of the activity of the state in international matters, it has already been pointed out that Spencer believed the state should protect its citizens from the aggression of invaders. Spencer was not a believer in the doctrine of non-resistance.² He did, however, strongly advocate the principle of non-aggression. He believed in the principle of international arbitration and prophesied that in time this would be the mode of settling international disputes. In the distant future he looked for a general dissolution of strict national lines and the institution of a universal government or a federation of governments.³ Spencer followed up his belief in international arbitration by personal activity in furthering a peace society working for international conciliation,⁴ and he tells in his *Autobiography* of the blow to his health caused by his exertions in this direction. Spencer was also a vigorous critic of the new national imperialism which developed in England and the world generally following the seventies. In one of his

¹ *Op. cit.*, pp. 13-22.

² *Social Statics*, pp. 118-20.

³ *Ibid.*, p. 120; *Principles of Sociology*, II, 615.

⁴ *Ibid.*, II, 443-51.

latest articles, entitled "Imperialism and Slavery," Spencer criticized British policy in the Boer War as based wholly on the principle of superior force which he alleged to be the dominating principle of the new imperialism. He further asserted that imperialism inevitably leads to militarism, prevents democracy both at home and abroad, and vastly increases the burden of taxation. He thus came very near to the position taken by the neo-Liberals, Hobhouse and Hobson, differing chiefly in not complaining that the expenditures in imperialism prevented great appropriations for social legislation at home.¹

In conclusion, it seems that whatever one may think of Spencer's doctrine of the legitimate field of state activity, no thoughtful person can easily dissent from the assumption which produced at least half of his opposition to state interference, namely, that the present low level of political morality; the general lack of intelligence, or, at best, of special competence on the part of the agents of government; the failure of the electorate to exercise any considerable degree of wisdom in the choice of these agents; and, finally, the present perversion of the attitude toward government as an end in itself rather than as a means toward an end, all combine to make our governmental machinery miserably incompetent to deal with the complex problems of modern civilization.² The improvement of this condition can be effected in but two ways: a decrease in the activity of government or an increase in its efficiency. The latter is held by most writers to be by all odds preferable, but Spencer considered it so remote a possibility that he chose to put his trust in the former. That he had some valid grounds for his attitude is distressingly true.³

8. *Progress, social reform, and state activity.*—Spencer's writings on the subject of social reform are about as prolific and spirited as those dealing with the proper field of state activity. In fact these questions are but different sides of the same problem. As the foundation of his doctrine concerning the latter was equal

¹ *Facts and Comments* (1902), pp. 157-71.

² Cf. Spencer, "The Collective Wisdom," *Essays*, III, 387-92; *The Study of Sociology*, pp. 281-90.

³ Cf. Ward, *Dynamic Sociology*, I, 150-55.

freedom, natural rights, and negative regulation, so in regard to the former his central dictum was that results are not proportional to appliances.¹ Not that Spencer denied the need of political reform or the tendency of all governmental structure to become conservative and resist change. In his *Principles of Sociology*² Spencer gives an illuminating discussion of how political organization, like all other social institutions, tends to resist change. It was not the need of reform that he questioned; it was rather the efficacy of the methods and principles of reform then proposed. What Spencer desired to emphasize was that it was futile to expect that any measure directly designed to remedy a certain situation would be successful unless it took into consideration the general cultural complex of which the particular defect was a part and allowed for the interdependence of social forces and institutions. Writers have accused Spencer of dealing with "straight men" and formulating a "political arithmetic," but in this field of social reform, at least, he was sufficiently conscious of the actual conditions which confront the social reformer. His classic statement of this principle is contained in the following paragraph:

You see that this wrought-iron plate is not quite flat; it sticks up a little here toward the left—"cockles," as we say. How shall we flatten it? Obviously, you reply, by hitting down on the part that is prominent. Well, here is a hammer, and I give the plate a blow as you advise. Harder, you say. Still no effect. Another stroke? Well, there is one, and another, and another. The prominence remains, you see: the evil is as great as ever—greater, indeed. But this is not all. Look at the warp which the plate has got near the opposite edge. Where it was flat before it is now curved. A pretty bungle we have made of it. Instead of curing the original defect, we have produced a second. Had we asked an artizan practised in "planishing," as it is called, he would have told us that no good was to be done, but only mischief, by hitting down on the projecting part. He would have taught us how to give variously—directed and specially—adjusted blows with a hammer elsewhere: so attacking the evil not by direct but by indirect actions. The required process is less simple than you thought. Even a sheet of metal is not to be successfully dealt with after those common-sense methods in which you have so much confidence. What, then, shall we say about a society? "Do you think I am easier to be played on than a pipe?" asks Hamlet. Is humanity more readily straightened than an iron plate?³

¹ *The Study of Sociology*, pp. 265 ff.

² II, pp. 253 ff.

³ *The Study of Sociology*, pp. 270-71.

Nevertheless, Spencer was not a complete and unqualified advocate of laissez faire. What he was trying to combat was the all too prevalent tendency to repose perfect trust in the efficacy of legislation as a cure for social ills. As a spirited advocate of the opposite school he naturally went too far. What he wanted to impress upon society was the necessarily small part which an individual or even a generation can hope to achieve in changing the direction of social evolution; he did desire to discourage either individual or collective effort toward reform, provided it recognized the necessary limitation upon the scope or results of such action. He sums up this position well in the following paragraph:

Thus while admitting that for the fanatic some wild anticipation is needful as a stimulus, and recognizing the usefulness of his delusion as adapted to his particular nature and his particular function, the man of the higher type must be content with greatly moderated expectations, while he perseveres with undiminished efforts. He has to see how comparatively little can be done, and yet find it worth while to do that little: so uniting philanthropic energy with philosophic calm.¹

While few would uphold so extreme a policy of laissez faire as Spencer sanctioned or wait so patiently for the impersonal laws of evolution to work out a program of reform as he assumed to be willing to do, still few can doubt the wisdom of his advice to beware of the fatal doctrine of the possibility of manufacturing progress by legislation which is not based on the widest possible knowledge of the sociological principles involved. This is the lesson which sociologists are still trying to impress upon well-meaning but ill-informed philanthropists.²

9. *Extra-legal aspects of political organization.*—Spencer has plenty of reflections regarding the extra-legal aspects of political activity and organization. It has already been pointed out that he rightly conceived of public opinion, or “the feeling of the community,” as the vital force behind governmental activity which gave it vigor and effectiveness, and that he believed that

¹ *The Study of Sociology*, p. 403.

² For Spencer's account of his ambitious plan to make a study of the effect of so-called “reform legislation” during the whole period of medieval and modern English history see *Various Fragments* (New York, 1898), pp. 136-40, essay entitled “A Record of Legislation.”

no form of government could succeed which was not in accord with the public sentiment of the time. His analysis of the overwhelming part which custom and tradition play in formulating this public opinion has also been described. As to political parties Spencer held that their influence is mainly negative. They usually merely becloud the real issue in any political situation by their bias in one direction or the other.¹ On the general subject of the extra-legal forms of social control, it may be said in general that Spencer rendered a service to political thought in correlating political organization with general social organization, and in showing how hopeless it was for political reformers to attempt any political change or reform without looking at the state in its relation to society, and taking into consideration the basic dependence of political forms upon social forces and interests. In this regard he performed the main service which sociologists have to offer to political theory and practice. The significance of this view has been well stated by Professor Small in what he designates as the central notion of the Spencerian social philosophy:

The members of society, from the very earliest stages, arrange themselves in somewhat permanent forms; these forms are rearranged in adaptation to varying needs; the forms are related, both as cause and effect, to the individuals who make up the society; they are thus factors that may never be left out of account in attempts to understand real life.²

10. *Summary of Spencer's political theories.*—Spencer's salient political doctrines, then, may be summarized as follows: (1) he revived the contract (agreement) doctrine to account philosophically for the justification of political authority; (2) he put forward a strong sociological statement of individualistic political philosophy in which the state was completely subordinated to the individual and was regarded simply as an agent for securing a greater degree of freedom for the individual than was possible without its "negative interference" with human conduct; (3) he denied the possibility of securing social progress by direct remedial legislation (at least of the type he was familiar with), and asserted that society must wait for the automatic working of the general

¹ Cf. *The Study of Sociology*, chaps. vii, xi.

² *General Sociology*, p. 153.

laws of evolution to effect permanent progress; (4) he advanced the first elaborate exposition of the organic theory of the state; (5) he developed a philosophy of political evolution based upon the purpose toward which organized society functions, finding these purposes to have been first military expansion and lastly industrial development; (6) finally Spencer made the important contribution of correlating the state with society in general, in the attempt to estimate its position and function in the wider social process; in short, he approached political problems from the broad viewpoint of the sociologist, however inconsistent and inadequate may have been his application of the principles of his science to the solution of those problems.

[To be continued]